

5-01W0696

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED - SHREVEPORT

MAY 08 2007

ROBERT H. SHEM WELL, CLERK
BY *[Signature]*
DEPUTY

9582 1469 0002 2890 7004

| | |
|---|----------|
| U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) | |
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ _____ |
| Certified Fee | _____ |
| Return Receipt Fee (Endorsement Required) | _____ |
| Restricted Delivery Fee (Endorsement Required) | _____ |
| Total Postage | _____ |
| <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> Sent To Street, Apt. No. or PO Box No. City, State, ZIP </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> CT Corporation System 8550 United Plaza Blvd. Baton Rouge, LA 70809 204.00004 <i>Ballance</i> </div> <div style="font-size: small; margin-top: 5px;">PS Form 3800, J</div> | |
| Postmark Here | |

5-1-07

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CT Corporation System
 8550 United Plaza Blvd.
 Baton Rouge, LA 70809
 204.00004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Shawna Smith

Agent
 Addressee

B. Received by (Printed Name)

Shawna Smith

5/2/07

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label)

7004 2890 0002 1469 9582

5:07cv00593

RETURN OF SERVICE

| | | |
|--|-------|------------------------|
| Service of the Summons was made by me | DATE | May 1, 2007 |
| NAME OF SERVER (PRINT) J.R. Whaley | TITLE | Attorney at Law |

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
 Name of person with whom the summons and complaint were left:

Return unexecuted:

Other (specify): **Summons, Complaint and Waiver of Service were mailed to:
 MERCK & CO., INC.
 via Certified Mail - Return Receipt Requested. The letter forwarding
 Summons, Complaint and Waiver of Service and domestic certified
 return receipt are attached hereto.**

STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|
| | | |

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on May 1, 2007
 Date

J.R.W.
 Signature of Server

U.S. DISTRICT COURT
 WESTERN DISTRICT OF LOUISIANA
 RECEIVED - SHREVEPORT

MAY 08 2007

P.O. Box 1190
 Alexandria, LA 71309-1190

ROBERT H. BREWELL, CLERK
 BY _____
 DEPUTY

J.R.W.
 Address of Server

RICHARD J. ARSENAULT *
C. MICHAEL BOLLINGER
DAVID O. WALKER **
PAUL J. TELLARICO
WILLIAM S. NEBLETT ***
MICHAEL S. KOCH
WESLEY J. GRALAPP
GARY J. ARSENAULT
EDWARD E. ROBERTS, III
STEVEN M. RACHAL
JOHN R. WHALEY
JEAN PAUL OVERTON

A REGISTERED LIMITED LIABILITY PARTNERSHIP, INCLUDING LAW CORPORATIONS

ROBERT B. NEBLETT (1991)
RICHARD W. BEARD (1988)

* LAW CORPORATION
ALSO ADMITTED IN
COLORADO, TEXAS
AND WASHINGTON, D.C.

** LAW CORPORATION
ALSO ADMITTED IN TEXAS

*** ALSO ADMITTED IN TEXAS

J. PHILLIP TERRELL, JR.
OF COUNSEL

May 1, 2007

Via Certified Mail - Return Receipt Requested

CT Corporation System
8550 United Plaza Blvd.
Baton Rouge, LA 70809

Re: Civil Action No. 5:07cv0696
Sherri Ballance v. Merck & Co., Inc.

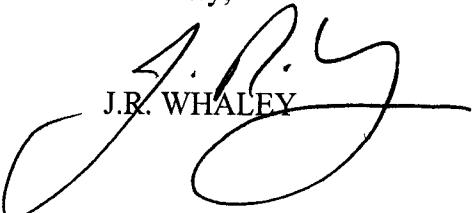
To Whom It May Concern:

Enclosed please find the following:

1. Notice of Lawsuit and Request for Waiver of Service of Summons;
2. Waiver of Service of Summons;
3. Original Summons sealed by the Court;
4. A copy of the filed Complaint;
5. Self-addressed, stamped envelope.

In your capacity as registered agent for service of process for **Merck & Co., Inc.**, and in compliance with F.R.C.P. Rule 4, have the Waiver of Service of Summons completed and return to me in the enclosed self-addressed, stamped enveloped provided.

Sincerely,



J.R. WHALEY

JRW/jmo
Enclosures
cc: Ms. Sherri Ballance
Mr. Eskridge E. "Sam" Smith, Jr.

RICHARD J. ARSENAULT *

C. MICHAEL BOLLINGER

DAVID O. WALKER **

PAUL J. TELLARICO

WILLIAM S. NEBLETT ***

MICHAEL S. KOCH

WESLEY J. GRALAPP

GARY J. ARSENAULT

EDWARD E. ROBERTS, III

STEVEN M. RACHAL

JOHN R. WHALEY

JEAN PAUL OVERTON

A REGISTERED LIMITED LIABILITY PARTNERSHIP, INCLUDING LAW CORPORATIONS

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED - SHREVEPORT

MAY 08 2007

ROBERT H. SHEMWELL, CLERK
BY _____
DEPUTY

May 1, 2007

ROBERT B. NEBLETT (1991)
RICHARD W. BEARD (1988)

* LAW CORPORATION
ALSO ADMITTED IN
COLORADO, TEXAS
AND WASHINGTON, D.C.

** LAW CORPORATION
ALSO ADMITTED IN TEXAS

*** ALSO ADMITTED IN TEXAS

J. PHILLIP TERRELL, JR.
OF COUNSEL

Honorable Robert H. Shemwell
Clerk, USDC
Western District of Louisiana
1167 U.S. Courthouse
300 Fannin Street
Shreveport, LA 71101

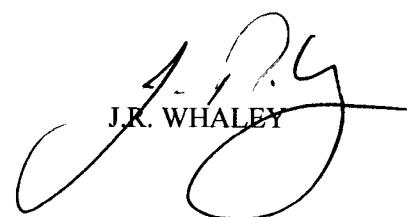
Re: Civil Action No. 5:07-cv-0696
Sherri Ballance v. Merck & Co., Inc.

Dear Mr. Shemwell:

Enclosed for filing is a completed Return of Service of Summons and Complaint on Merck & Co., Inc.

With best regards, I am

Sincerely,



J.R. WHALEY

JRW/jmo
Enclosures

cc: Ms. Sherri Ballance
Mr. Eskridge E. "Sam" Smith, Jr.